

**TO CLEAR THE NOTES, PLEASE FILE
ALL DOCUMENTS WITH THE CLERK'S
OFFICE BY THE END OF Monday,
February 14, 2005. SECOND CHECK
WILL BE POSTED ON Tuesday, February
15, 2005. NO DOCUMENTS WILL BE
REVIEWED BEFORE THE HEARING
AFTER SECOND CHECK**

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI **PROBATE**

DATE: 02/18/05 TIME: 8:30 DEPT: S5

CASE #: SPASS4865

CASE NAME: IN THE ESTATE OF ARTHUR BONIN

HEARING:
Hearing re: FINAL DISCHARGE

COUNSEL:
ARTHUR BONIN (DEC)...
SAN BERNARDINO COUNTY PUBLIC A(PET)...PHILIP M SAVAGE III
HELEN LOUISE DURANT (PET)...ERIC R YAMAMOTO
PEARL FLEET (TP)...ERIC R YAMAMOTO

GENERAL INFORMATION:

This case is set for hearing on Final Discharge

Final Accounting approved October, 2002

Continued last from 8/27/04 & 12/3/04 at request of counsel for more time to submit receipts. Nothing new filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Still no receipts filed (only assets for distribution were cash & unimproved real property in Newberry Springs, CA). Court to inquire of counsel whether alternative methods of receipt acknowledgments could be obtained (e.g., copies of cancelled checks payable to beneficiaries). Counsel could minimally comply with PC 11751 for distribution of real property.
2. No Declaration for Final Discharge submitted.

RECOMMENDATION:

Find out status.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 8:30 DEPT: S5

CASE #: SPRSS02429

CASE NAME: IN THE ESTATE OF GEORGE EDWARD BARTLETT

HEARING:
Hearing Re: STATUS REPORT.

COUNSEL:
GEORGE EDWARD BARTLETT (DEC)...
BERTRAM BALCH JR (PET)...E. JOAN NELMS

GENERAL INFORMATION:

This case is set for hearing on Status Report

**Continued from 7-9-04 & 10-22-04 as lawsuit described below is still pending.
Nothing new filed.**

This estate was opened in 1997, for the alleged purpose of defending a lawsuit brought for ejectment by the federal government (on behalf of the Chemehuevi Indian Tribe). The decedent was a resident of Havasu Landing Resort, and the Indian Tribe and government had a claim of ownership.

The case originally cited in the probate petition (CV-92-03819) went up on appeal to the US Court of Appeal, 9th Circuit. The ejectment was affirmed. This decision was filed in June 1997.

A status report filed by the Administrator's Attorney (Joan Nelms) (11-9-99) indicated that the matter was still pending and had just been removed to the 9th Circuit Court of Appeal. For this to be true, it would have to mean that there was another litigation filed.

In October 2000, Attorney Nelms advised the court that the unlawful detainer action was still pending in federal court and that the attorney handling the case was working on damages issues.

In May and December 2001, Attorney Nelms advised that the case was still pending.

Since the December 2001 hearing, the following 7 minute orders indicate no appearance, but the litigation is still pending.

No I & A was ever filed.

No accounting was ever filed.

The administrator has failed to prosecute this action.

RECOMMENDATION:

Set OSC re: Removal of administrator. Personally serve citation. Set OSC re: Failure to File Status Report as to Attorney Nelms, who is still the attorney of record. Mail notice to Attorney Nelms. On both OSCs, a copy should be sent to the beneficiaries, Theodore Bartlett and Earl Bartlett.

If there is an appearance, court should find out status of litigation and get case identifying information. If case is no longer pending and there is no need for this probate, Court cannot dismiss without a petition for termination under PC 12251 and should order the administrator to file the petition.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 8:30 DEPT: S5

CASE #: SPRSS03009

CASE NAME: IN THE ESTATE OF ELSIE WILKS

HEARING:

FIRST AND FINAL Account and Report of HOWARD L WILKS and
Petition for allowance of fees filed.

COUNSEL:

ELSIE M WILKS (DEC)...
HOWARD L WILKS (PET)...ELISABETH KEMPE-OLINGER

GENERAL INFORMATION:

This case is set for hearing on 1st & Final Account
Accounting period: 6/18/98 – 12/17/04

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Petitioner requests statutory commission of \$37,449.01. Ok.
2. Attorney requests statutory fees of \$37,449.01. Ok.
3. Attorney requests extraordinary fees of \$10,876.00 reduced from
\$14,276.25. Billed at \$225/hour for 63.45 hours. Attorney alleges the
extraordinary services were necessary due to the complexities of the real
property (zoning changes and environmental issues) and the fact attorney
had to prepare paperwork for three sales of the property (one of which was
vacated and one of which was withdrawn prior to the petition to confirm the
sale was prepared). In addition, attorney has prepared five status reports,
assisted with having stock certificates reissued and selling stock. Appears
itemized. JTD
4. Petitioner alleges estate's value at date of death, or 6/18/98, totaled
\$272,843.82. However, a reappraisal for sale was filed 2/16/01 increasing
the unimproved real property's value to \$2.6 million from \$240,0000. The
real property was confirmed by Order Confirming Sale on 11/12/04 for \$2.4
million. Why was the date of death appraisal so much less than the
reappraisal for sale (18 months between appraisals)? It is noted there were

zoning changes and some environmental issues involving the land. Did these issues affect the date of death value? If date of death appraisal is incorrect, and if total estate at date of death is \$625,000 or greater then an estate tax return could be required. File verified supplement as to circumstances for discrepancy in real property value.

5. Petitioner alleges sale proceeds were placed in blocked account no. 398-000-000 at PFF Bank & Trust. However, no receipt for the blocked account is filed. File receipt. Also need copy of PFF bank statement to show current balance on hand. Petitioner requests authority to withdraw entire balance of blocked account to make distribution to the beneficiaries.
6. Petitioner requests authority to withhold \$2,500 to prepare and file tax returns. Assuming the date of death appraisal is correct, then there are capital gains on the sale of the real estate and on sale of securities. Question whether higher reserve should be kept to pay tax due on any gains? File verified supplement.

RECOMMENDATION:

Need verified supplement re notes 4 & 6. Need Receipt for blocked account and current PFF bank statement to verify balance on hand. Once approved, set hearing for filing of receipts and final discharge for 3/3/06

San Bernardino Superior Court

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 8:30 DEPT: S5

CASE #: SPRSS03780

CASE NAME: EST OF ANNA LOUISE HUMPHREY ET AL

HEARING:

FIRST AND FINAL Account and Report of RUTH L HENRICKS and
Petition for allowance of fees filed.

COUNSEL:

THOMAS BEFORT (PET)...NANCY J YOUNG
ANNA LOUISE HUMPHREY (DEC)...
JANINE OVERLIE (OBJ)...PRO/PER

GENERAL INFORMATION:

This case is set for hearing on 1st & Final Account

Accounting period: 4/7/00-6/30/04

Continued from 12/3/04. Court takes matter under submission. Subsequently orders matter continued to 2/11/05 for correction of the probate notes revised after the hearing of 12/3/04. Administrator to file supplement to correct notes 5-6 (below). Nothing new filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Petitioner requests statutory commissions of \$1,321.13. Ok
2. Petitioner waives extraordinary commissions.
3. Attorney requests statutory fees of \$1,321.13 and defers 100% of the statutory fees to Attorney Nancy Young (prior attorney for estate). Ok.
4. Special Administrators (Thomas Befort & Marie Humphrey) request reimbursement of costs of \$4,494.10. Itemized. JTD
5. Special Administrators request extraordinary fees of \$2900.00. Need itemization of extraordinary services (only itemized costs advanced).
6. Exhibit C, Schedule 1 of accounting shows "market value" of estate at end of accounting period as \$166,477.84. However, bank balance reflects \$23,186.76. There is a discrepancy between these amounts. File verified supplement to explain discrepancy.

RECOMMENDATION:

Need to clear notes 5-6. Once approved, set hearing for filing of receipts and final discharge for 12/16/05.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 8:30 DEPT: S5

CASE #: SPRSS05028

CASE NAME: EST OF LANCE LEWIS JOHNSON

HEARING:
Hearing Re: Status/Accounting Review.

COUNSEL:
KATHLEEN IRVING JOHNSON (PET)...DAVERT & LOE, LAWYERS
LANCE LEWIS JOHNSON (DEC)...
CALIFORNIA PUBLIC UTILITIES CO(TP)...CLEVELAND W LEE
JOHN W RICHARDSON (PRO/PER)...PRO/PER

GENERAL INFORMATION:

This case is set for hearing on Status Report/Accounting Review
Executrix had been seeking an order allowing her to sell securities. California PUC (public utilities commission) filed objection. Order entered by court on 9-14-04 dismissing that petition. Minute order from 10-2-04 indicated that receiver was to file report (purpose of this hearing). Also, there appears to be an outstanding issue regarding an accounting by executrix.

Continued from 12/17/04

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED:

Nothing filed.

RECOMMENDATION:

Find out status. Is there an accounting due?

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 8:30 DEPT: S5

CASE #: SPRSS05132

VACATE – RECEIPT FOR BLOCKED ACCOUNT FILED 1/12/05

CASE NAME: EST OF ALFRED ROBERT SEPULVEDA

HEARING:

Hearing Re: Proof Of Deposit In Blocked Account.

COUNSEL:

KATHY L SEPULVEDA (PET)...JOHN M RAGER
ALFRED ROBERT SEPULVEDA (DEC)...

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 8:30 DEPT: S5

CASE #: SPRSS05368

CASE NAME: EST OF JAMES J LIPKE

HEARING:

Petition for Letters of Admin. W/ Full Authority under IAEA.

COUNSEL:

DEBRA A LIPKE	(PET)...JOHN M RAGER
JAMES J LIPKE	(DEC)...
CINDY M RAZZETTI	(SA)...BRYAN C. HARTNELL

GENERAL INFORMATION:

This case is set for hearing on Petition for Successor Letters of Administration w/full authority under IAEA

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Special administrator (Cindy Razzetti, daughter) appointed 1/12/05 after prior administrator (Debra Lipke) was suspended on 1/12/05.
2. Petitioner requests bond be fixed at \$10,000. However, pursuant to the Inventories & Appraisals already on file, the estate's value is \$185,000 (real property value and only asset in the estate). Suggest Court require bond be fixed at \$185,000.

RECOMMENDATION:

RFA subject to Court's determination of bond. Once approved, set hearing on accounting review for 5/5/06. Accounting to be filed 30 days in advance.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 8:30 DEPT: S5

CASE #: SPRSS05440

CASE NAME: ESTATE OF CARMEN M. CASTRO

HEARING:
Petition for FOR FINAL DISTRIBUTION ON WAIVER OF ACCOUNTING

COUNSEL:
CAMILO CASTRO (PET)...PRO/PER
CARMEN M. CASTRO (DEC)...

GENERAL INFORMATION:
This case is set for hearing on Petition for Final Distribution on Waiver of Account

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Sole heir has waived accounting.
2. Petitioner waives statutory commission
3. Proposed order being returned to comply with local rule 907. Legal description and assessor's parcel number of the real property must be set forth in order, as well as name and address of heir.

RECOMMENDATION:
RFA. Once approved, set hearing for filing of receipts and final discharge for 3/3/06.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 8:30 DEPT: S5

CASE #: SPRSS05473

CASE NAME: ESTATE OF VASTIE C DENNIS

HEARING:

WAIVER OF Account and Report of LUBEDIA DENNIS and Petition for allowance of fees filed.

COUNSEL:

LUBEDIA DENNIS	(PET)...PRO/PER
VASTIE C DENNIS	(DEC)...

GENERAL INFORMATION:

This case is set for hearing on Waiver of Account & Report and for Final Distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Need to file Notice of Hearing and proof of service.
2. Petition is not verified per Probate Code 1021. File verified supplement with verification.
3. Petitioner waives statutory commission
4. All heirs have waived accounting.
5. Assignments from Robert Dennis, Sr. and Robert Dennis, Jr., assigning 100% of their respective interests in the real property to Lubedia Dennis are on file.

RECOMMENDATION:

RFA subject to 1 & 2. Once approved, set hearing for filing of receipts and final discharge for 3/3/06.

6.

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San Bernardino Superior Court
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PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 8:30 DEPT: S5

CASE #: SPRSS05576

CASE NAME: ESTATE OF GOLAN PERRY

HEARING:
Probate status report filed.

	COUNSEL:
RUTH L HENRICKS	(PET)...HARTNELL LISTER & MOORE
GOLAN PERRY	(DEC)...
EDDIE BARNARD	(TP)...PRO/PER

No file to review.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 8:30 DEPT: S5

CASE #: SPRSS05702

CASE NAME: EST OF RUDOLPH STEVEN SANDERS

HEARING:
Petition for FOR ORDER DIRECTING DELIVERY OF PERSONAL PROPERTY

COUNSEL:
REBECCA S WIMBS (PET)...RONALD W ASK
RUDOLPH STEVEN SANDERS (DEC)...

No file to review

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 8:30 DEPT: S5

CASE #: SPRSS05815

CASE NAME: ESTATE OF MARGARET J. TIPTON

HEARING:

REPORT OF WAIVER Account and Report of LORI LYNN CUNNINGHAM and
Petition for allowance of fees filed.

COUNSEL:

LORI LYNN CUNNINGHAM (PET)...BRUNICK BATTERSBY MCELHANEY &
MARGARET J. TIPTON (DEC)...

GENERAL INFORMATION:

This case is set for hearing on Report on Waiver of Account and Petition for Final
Distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Sole beneficiary waives accounting
2. Petitioner waives statutory commission
3. Attorney requests statutory fees of \$7,595.87. The fee base includes a gain on the sale of real property. However, the gain is not itemized. Statutory fee request must be detailed with a schedule of gains per CRC 7.705(b). File verified supplement.
4. Attorney requests reimbursement of costs advanced of \$496.95. Itemized. Ok.
5. Need to file Graduated Filing Fee Statement even if correct filing fee paid (CRC 7.552).

RECOMMENDATION:

Need to clear notes 3 & 5. Once approved, set hearing for filing of receipts and final discharge for 3/3/06.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 8:30 DEPT: S5

CASE #: SPRSS05873

CASE NAME: EST OF ALICE EDNA STANCEL

HEARING:

FIRST AND FINAL Account and Report of VENETA CELELLO and
Petition for allowance of fees filed.

COUNSEL:

VENETA CELELLO (PET)...WILKINSON & WILKINSON
ALICE EDNA STANCEL (DEC)...

GENERAL INFORMATION:

This case is set for hearing on 1st & Final Account
Accounting period 2/26/04 – 12/16/04

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Petitioner requests statutory commission of \$6,855.14. Ok.
2. Attorney requests statutory fees of \$6,855.14. Ok.
3. Attorney requests extraordinary fees of \$1,779.50 associated with the sale of
the real property. Billed at \$250/hour for attorney time (4.5 hours) and \$85/hour for
paralegal time (7.7 hours). . Need to file Estate of Walker (1963) 221 Cal.App.2d
792 declaration to explain why the statutory fee is not a sufficiently reasonable fee
to cover all services provided
4. Petitioner requests reimbursement of costs advanced of \$531.50. Appear
itemized. JTD
5. Petitioner requests authority to withhold \$1,000 for closing expenses. Ok.

RECOMMENDATION:

Need verified supplement re: note 3. Once approved, set hearing for filing of receipts and
final discharge for 3/3/06

San Bernardino Superior Court

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 8:30 DEPT: S5

CASE #: SPRSS05875

CASE NAME: ESTATE OF PIEDAD GUEVARA

HEARING:

Hearing Re: VERIFIED PETITION FOR FINAL DISTRIBUTION.

COUNSEL:

DAVID REAPE	(PET)...GREENBERG & BASS
PIEDAD GUEVARA	(DEC)...

GENERAL INFORMATION:

This case is set for hearing on Verified Petition for Final Distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Petitioner waives statutory commission
2. Attorney waives statutory fees
3. Need to file Graduated Filing Fee Statement even if correct filing fee was paid (CRC 7.552)
4. On 11/19/04, the Court approved petitioner's creditor's claim totaling \$451,696.96. The estate only consists of future annuity payments from 12/15/2019 – 4/15/2026. Petitioner proposes annuity payments will be made to petitioner commencing 9/2003 and continuing through 11/15/2007. Additional annuity payments will be paid to petitioner commencing 12/15/2017 - 11/15/2019. Annuity payments will also be made to decedent's 4 residual heirs on a monthly basis commencing 12/17/2017 - 11/15/2019. Additional annuity payments will be paid to the heirs commencing 12/15/2019 – 4/15/2026. Will the payments to petitioner be made in payment of petitioner's creditor's claim? Will the cumulative payments satisfy petitioner's creditor's claim? File verified supplement.
5. No proposed order submitted.

RECOMMENDATION:

Need graduated filing fee statement and verified supplement re: annuity payments. Once approved, set hearing for filing of receipts and final discharge for 3/3/06.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 8:30 DEPT: S5

CASE #: SPRSS05970

CASE NAME: EST OF ROBERT K LEHMANN

HEARING:

WAIVER OF Account and Report of ROBERT K LEHMANN II and
Petition for allowance of fees filed.

COUNSEL:

ROBERT K LEHMANN II (PET)...ELISABETH KEMPE-OLINGER
ROBERT K LEHMANN (DEC)...

GENERAL INFORMATION:

This case is set for hearing on Waiver of Account and Petition for Final Distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Residual beneficiaries waive accounting
2. Petitioner requests statutory commissions of \$13,964.00. Ok.
3. Attorney requests statutory fees of \$13,964.00. Ok.
4. Petitioner requests authority to withhold \$1,500 for closing expenses. Ok.

RECOMMENDATION:

RFA. Once approved, set hearing for filing of receipts and final discharge for 3/3/06.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 8:30 DEPT: S5

CASE #: SPRSS06110

CASE NAME: THE MARY B LARSON IRREVOCABLE TRUST

HEARING:
Petition for TO INSTRUCT TRUSTEE

COUNSEL:
ROBERT BURDICK (TEE)...JOHN G WURM

This case is set for hearing on Petition to Instruct Trustee re: Distribution
Continued from 10/22/04 & 1/14/05 at request of counsel to file Supplement.
Nothing new filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED:

1. Trustee cannot locate 3 of the residuary beneficiaries, and alleges that they have deliberately made their whereabouts unknown due to family differences.
2. It appears that the petition is asking to not distribute monies to those beneficiaries who cannot be located and instead, to give the balance of the trust to the three beneficiaries who can be found. What is the legal basis for avoiding the trustor's intent? File Ps & As. Has not provided any details regarding attempt to locate the beneficiaries. Hire a private investigator? Do an internet search? No diligence, due or otherwise, has been shown.
3. Are there other methods to distribute even if can't locate currently? Perhaps under Uniform Transfers to Minor Act?

RECOMMENDATION:
Need supplement.

San Bernardino Superior Court

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 8:30 DEPT: S5

CASE #: SPRSS06126

CASE NAME: ESTATE OF ADELA JOLLY

HEARING:

Report Sale and Petition for Order Confirming Sale of Real
Property.

COUNSEL:

ADELA JOLLY CAIN (PET)...SCOTT E WHEELER
ADELA JOLLY (DEC)...
DEPARTMENT OF HEALTH SERVICES (TP)...PRO/PER

GENERAL INFORMATION:

This case is set for hearing on Report of Sale and Order Confirming Sale of Real property

Address	928 Nickolas Avenue, Redlands, CA APN 0168-4010-7000
Appraised value	\$210,000. Appraisal is more than a year since date of death. Need to file Reappraisal for Sale (PC 10309)
Sale price	\$247,500.
First overbid	\$260,375.
Deposit	\$2000. This amount is INSUFFICIENT per local rules unless sale is FHA or VA financed. File verified supplement or provide additional deposit of \$19,000 for a total of 10% deposit per local rule.
Commission	\$12,375 (5%) OK payable ½ to Century 21 Lois Lauer and ½ to Century 21 Colonial
Additional bond	None required.
Reason for sale	Debts and expenses of administration
Exposure to market	MLS
Notice	OK

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 8:30 DEPT: S5

CASE #: SPRSS06182

CASE NAME: MTR OF DAVE TONY DOMINGUEZ

HEARING:

Petition for Letters of Admin. W/ Limited Authority under IAEA

COUNSEL:

LUIS A TRUJILLO (PET)...EVA HOLCOMB-MALHOTRA
DAVE TONY DOMINGUEZ (DEC)...

GENERAL INFORMATION:

This case is set for hearing on Petition for Letters of Administration w/limited authority under IAEA

Continued from 12/17/04 at request of counsel to clear probate notes. Nothing new filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. File notice of filing of petition for probate.
2. File proof of publication.
3. Petition requests bond be set in amount of \$6,000. Minimum bond is \$10,000. Estate consists of \$150,000 in real property. If property sold, funds will either have to be placed in a blocked account or bond will have to be set for \$150,000. Minimum bond is sufficient with limited authority.
4. Section 2 of petition is incomplete. Please file supplemental.
5. Section 6a(4) of petition is incomplete. Please file supplemental.
6. All five of the intestate heirs have assigned their interest in the estate to petitioner as the sole heir to the estate.

RECOMMENDATION: Recommend for approval subject to notes 1-2, 4-5. If petition granted, court will have to set future dates. Set hearing for the inventory and appraisal for 9/16/05. Set hearing for the accounting for 5/5/06. Accounting to be filed 30 days prior to the hearing.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 8:30 DEPT: S5

CASE #: SPRSS06203

CASE NAME: CLIFFORD E RINEHART TRUST DATED SEPT 9, 1999

HEARING:
Petition for FOR ORDER COMPELLING ACCOUNT

COUNSEL:
ELLEN L ABREGO (STE)...SKORETZ & CHURCH

GENERAL INFORMATION:

This case is set for hearing on Petition for Order Compelling Accounting filed by Jack Francis, beneficiary of the Clifford E. Rinehart Trust

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Need to file notice of hearing and proof of service
2. Petitioner alleges the Clifford E. Rinehart Trust was established on 9/9/99 and amended and restated on 9/26/03.
3. Petitioner alleged Clifford E. Rinehart died on 4/1/04 and Ellen Lea Abrego became trustee of the trust. Petitioner further alleges on 10/12/04 petitioner made written request to Ellen Abrego for an accounting, and no accounting has been presented to the beneficiaries.

RECOMMENDATION:

Need notice and then Court's discretion.

San Bernardino Superior Court

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 8:30 DEPT: S5

CASE #: SPRSS06204

CASE NAME: ESTATE OF RUDOLPH S SANDERS

HEARING:

Spousal Property Petition hearing.

COUNSEL:

TERESA M SANDERS	(PET)...CRAIG M PARKER
RUDOLPH S SANDERS	(DEC)...
REBECCA WIMBS	(OBJ)...RONALD W ASK

GENERAL INFORMATION:

This case is set for hearing on Spousal Property Petition

Continued from 12/30/04 at request of counsel

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Petitioner alleges that she married the decedent in 1995. Decedent leaves as his heirs his spouse, adult children, and two issue from a predeceased child one of whom is a minor.
2. Petitioner further alleges that in 1998, she and decedent jointly purchased the real property at 9032 Oleander Ave., Fontana, and in order to obtain financing the property was transferred in decedent's name only. Question whether the source of the funds to purchase this property were separate or community. File verified supplement as to source of funds, and if the funds were community provide specific allegations as to the source of the community.
3. **Objections filed by Rebecca Wimbs (daughter of decedent) alleging petitioner was not legally married to decedent in 1995 as her former marriage was not final until 2003. Objector further alleges she is the currently appointed administrator of decedent's estate (Case #SPRSS05702). An Accounting Review is set for 4/15/05 in SPRSS05702 .**

RECOMMENDATION:

Need verified supplement and set for contested hearing.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 8:30 DEPT: S5

CASE #: SPRSS06220

CASE NAME: MTR OF ROGELIO G QUIROGA

HEARING:
Hearing Re: Proof Of Blocked Account.

COUNSEL:
LYDIA QUIROGA (PET)...HARTNELL HORSPOOL & FOX
ROGELIO G QUIROGA (DEC)...

No file to review.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 8:30 DEPT: S5

CASE #: SPRSS06232

CASE NAME: ESTATE OF ORELL TAYLOR

HEARING:
Petition for Letters of Admin. W/ Limited Authority under IAEA

	COUNSEL:
LINDA TAYLOR	(PET)...KAMOLA L GRAY
ORELL TAYLOR	(DEC)...

No file to review.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 8:30 DEPT: S5

CASE #: SPRSS06232

CASE NAME: ESTATE OF ORELL TAYLOR

HEARING:
Petition for APPOINTMENT OF GUARDIAN AD LITEM

LINDA TAYLOR	COUNSEL:
ORELL TAYLOR	(PET)...KAMOLA L GRAY
	(DEC)...

No file to review.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 8:30 DEPT: S5

CASE #: SPRSS06260

CASE NAME: ESTATE OF EDWARD S GARCIA

HEARING:

Petition for Letters of Admin. W/ Full Authority under IAEA.

COUNSEL:

EDWARD J GARCIA	(PET)...WALTER T. MOORE
EDWARD S GARCIA	(DEC)...

GENERAL INFORMATION:

This case is set for hearing on Petition for Letters of Administration w/full authority under IAEA

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Special letters issued 1/12/05. Minute Order states Melodie Scott is appointed as Special Administrator, however, Special Letters are issued to Edward J. Garcia, petitioner herein.
2. Petitioner requests no bond be required as assets are unknown. Petitioner alleges that once the assets are determined, they will be placed in a blocked account at First Centennial Bank.
3. Need to file proof of due publication.

RECOMMENDATION:

Need to clear notes 1 & 3. Once approved, set hearing on Inventory & Appraisal for 9/16/05. Set hearing on Accounting Review for 5/5/06. Accounting to be filed 30 days in advance. Note local rules regarding the filing copies of bank statements.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 8:30 DEPT: S5

CASE #: SPRSS06261

CASE NAME: EST OF JESUS SUAREZ GOMEZ

HEARING:
Petition to determine succession to Real Property

COUNSEL:
ELVIRA SUAREZ-ESTRADA (PET)...ROD E. FEHLMAN
JESUS SUAREZ GOMEZ (DEC)...

GENERAL INFORMATION:
This case is set for hearing on Petition to Determine Succession to Real Property

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Decedent died on 5/28/04
2. Petitioner alleges she is the sister of decedent and proposes she is the sole heir to decedent's interest in real property. However, item 9a of petition is checked indicating decedent is survived by "child". However, no child(ren)'s names/addresses are listed. In addition, on the death certificate (attached), the informant's name is identified as Alfredo Suarez (brother). File verified supplement as to surviving child(ren) and brother.
3. Petitioner alleges decedent's spouse is deceased. File copy of death certificate or predeceased spouse.
4. Need notice of hearing and proof of service to any child, brother or other siblings of decedent.

RECOMMENDATION:
Cannot approve as is. Need verified supplement re note 2.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 8:30 DEPT: S5

CASE #: SPRSS06262

CASE NAME: ESTATE OF LAMONT H MERCHANT

HEARING:

Petition for Letters of Admin. W/ Full Authority under IAEA.

COUNSEL:

DIANA RICHARDSON	(PET)...	CRAIG M PARKER
LAMONT H MERCHANT	(DEC)...	

GENERAL INFORMATION:

This case is set for hearing on Petition for Letters of Administration w/full authority under IAEA

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Special letters issued to Diana Richardson 1/13/05
2. Petitioner requests bond be fixed at \$290,000. Ok.
3. Need to file proof of due publication

RECOMMENDATION:

RFA subject to note 3. Once approved, set hearing on Inventory & Appraisal for 9/16/05. Set hearing on Accounting Review for 5/5/06. Accounting to be filed 30 days in advance. Note local rules regarding the filing copies of bank statements

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 8:30 DEPT: S5

CASE #: SPRSS06263

CASE NAME: EST OF WILLIAM K MCFADDEN

HEARING:
Petition to determine succession to Real Property

COUNSEL:
NICOLE R MIHLD (PET)...GAW, VAN MALE, SMITH, MYERS &
WILLIAM K MCFADDEN (DEC)...

GENERAL INFORMATION:
This case is set for hearing on Petition to Determine Succession to Real Property

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Decedent died 10/27/94
2. Petitioner is the granddaughter of decedent and alleges she is the sole heir to decedent's interest in real property.
3. Procedurally correct.

RECOMMENDATION:
RFA.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 8:30 DEPT: S5

CASE #: SPRSS06264

CASE NAME: EST OF PEARL ORTH TURNER

HEARING:

Petition for Probate, Letters of Tstmntry with full authority
under IAEA.

COUNSEL:

LARRY H HENDON (PET)...KATHLEEN B ALBREKTSON
PEARL ORTH TURNER (DEC)...

GENERAL INFORMATION:

This case is set for hearing on Petition for Probate, Letters Testamentary w/full authority
under IAEA

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Will waives bond
2. Need to file Notice of Petition to Administer Estate and proof of service
3. Need to file proof of due publication.

RECOMMENDATION:

RFA subject to note 2 & 3. Once approved, set hearing on Inventory & Appraisal for
9/16/05. Set hearing on Accounting Review for 5/5/06. Accounting to be filed 30 days in
advance. Note local rules regarding the filing copies of bank statements

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 8:30 DEPT: S5

CASE #: SPRSS06265

CASE NAME: MTR OF MABEL M GIBSON

HEARING:

Petition for Probate, Letters of Tstmntry with full authority
under IAEA.

COUNSEL:

ANNA MAE WATTS	(PET)...	STEPHEN L ODGERS
MABEL M GIBSON	(DEC)...	

GENERAL INFORMATION:

This case is set for hearing on Petition for Probate and Letters Testamentary w/full
authority under IAEA.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Will waives bond
2. Need to file Notice of Petition to Administer Estate and proof of service
3. Need to file proof of due publication.

RECOMMENDATION:

RFA subject to notes 2 & 3. Once approved, set hearing on Inventory & Appraisal for
9/16/05. Set hearing on Accounting Review for 5/5/06. Accounting to be filed 30 days in
advance. Note local rules regarding the filing copies of bank statements

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI **CONSERVATORSHIPS**

DATE: 02/18/05 TIME: 10:00 DEPT: S5

CASE #: SC SS02789

CASE NAME: MTR OF ANTHONY OCCHINO

HEARING:

Hearing Re: Petition For Appointment Of Conservator.

COUNSEL:

VIRGINIA OCCHINO (CPE)...HARTNELL HORSPOOL & FOX
ANTHONY OCCHINO (CEP)...
JUDITH M GREENWOOD (CPE)...PAULA FORTHUN-BALDWIN

GENERAL INFORMATION:

This case is set for hearing on Petition for Conservatorship, person & estate, filed by spouse, Virginia Occhino (Petition 2)

Competing Petition for Conservatorship, person & estate, filed by daughter (Petition 2)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

Petition 1:

1. Temporary letters issued 12/29/04 and then temporary conservator, Virginia Occhino, was suspended on 1/14/05.
2. Petitioner requests bond not be required as all assets are community property.
3. Petitioner seeks medical & dementia powers. Need medical declaration.
4. Copy of dissolution petition is attached to petition for appointment of conservator (SBFSS82573). A Motion for Bifurcation of Marital Status is currently set for 2/3/05
5. Need notice of hearing and proof of service.

Petition 2:

1. Petition requests bond be fixed at \$100,000. Ok.

2. Proposed conservatee will not attend hearing due to medical inability. Need to file medical declaration.
3. Petitioner alleges proposed conservatee may not need conservatorship. However, proposed conservatee has signed nomination in favor of his daughter should the court find a conservatorship necessary.
4. Need notice of hearing and proof of service to VA (Veteran's Administration)
5. Related Matters 29A & 30 (below)
6. CI report filed indicating proposed conservatee consents to daughter acting and objects to Virginia acting.

RECOMMENDATION:

Set for contested hearing.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 10:00 DEPT: S5

CASE #: SC SS02789

CASE NAME: MTR OF ANTHONY OCCHINO

HEARING:
Petition for Appointment of Conservator

	COUNSEL:
VIRGINIA OCCHINO	(CPE)...HARTNELL HORSPOOL & FOX
ANTHONY OCCHINO	(CEP)...
JUDITH M GREENWOOD	(CPE)...PAULA FORTHUN-BALDWIN

See notes in Matter 29 (above)
Related matter 30 (below)

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 10:00 DEPT: S5

CASE #: SC SS02789

CASE NAME: MTR OF ANTHONY OCCHINO

HEARING:

Petition for FOR IMMEDIATE REMOVAL OF TEMP CONSERVATOR OF
PERSON/ESTATE ETC

COUNSEL:

VIRGINIA OCCHINO (CPE)...HARTNELL HORSPOOL & FOX
ANTHONY OCCHINO (CEP)...
JUDITH M GREENWOOD (CPE)...PAULA FORTHUN-BALDWIN

GENERAL INFORMATION:

This case is set for hearing on Petition for Immediate Removal of Temporary Conservator (Virginia Occhino, estranged spouse) filed by Judith Greenwood (daughter of proposed conservatee)

At hearing on 1/14/05, the temporary conservator was suspended.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Petitioner alleges Virginia Occhino failed to comply with PC 1813 and Local Rule 1412 by failing to give 24 hour advance notice of the ex parte hearing on the temporary conservatorship.
2. Petitioner alleges there is a pending dissolution action between the proposed conservatee and Virginia Occhino, and a Motion for Bifurcation of Marital Status is currently set for 2/3/05 (Case #SBFSS82573). Petitioner alleges Virginia seeks to block Anthony from dissolving the marital relationship.
3. Related matters 29 & 29A (above)

RECOMMENDATION:

None.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 10:00 DEPT: S5

CASE #: SC SS02798

CASE NAME: MTR OF HOPE N COOK

HEARING:
Petition for Appointment of Conservator

	COUNSEL:
MELODIE Z SCOTT	(CPE)...HARTNELL HORSPOOL & FOX
HOPE N COOK	(CEP)...

GENERAL INFORMATION:

This case is set for hearing on Petition for Conservatorship, person & estate, filed by Melodie Scott, professional fiduciary

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Temporary letters issued 1/12/05
2. Petitioner requests bond be fixed at \$15,000. Petitioner alleges personal property is unknown and real property is worth approximately \$900,000. Question whether proposed bond is sufficient. With temporary letters, has petitioner been able to ascertain the value of the personal property? File verified supplement
3. Need to file notice of hearing and proof of service to CI, brother, grandson and daughter.
4. No medical powers are sought.

RECOMMENDATION:

Need notice and verified supplement re: bond. Once approved, set hearing on Inventory & Appraisal for 9/16/05. Set Accounting Review for 5/5/06. Accounting to be filed 30 days in advance.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 10:00 DEPT: S5

CASE #: SC SS02799

CASE NAME: MTR OF BETTY JOY SAPP

HEARING:
Petition for Appointment of Conservator

COUNSEL:
NORVEL F HANSPARD (CP)...PRO/PER
MICHAEL W HANSPARD (CP)...PRO/PER
BETTY JOY SAPP (CTP)...

GENERAL INFORMATION:

This case is set for hearing on Petition for Conservatorship, person only, filed by daughter and son-in-law

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Petitioner requests medical powers. Need to file medical declaration
2. Bond not required as conservatorship is over person only.
3. Need return of Citation
4. Need to file Notice of Hearing and proof of service

RECOMMENDATION:

Need notice and medical declaration.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

ACCOUNTINGS

DATE: 02/18/05 TIME: 10:01 DEPT: S5

CASE #: SC SS01254

CASE NAME: IN THE MATTER OF ALLEN RHAJIVE CARABALLO

HEARING:

Petition for ATTORNEYS' FEES

COUNSEL:

ALLEN RAJHIVE CARABALLO (CEP)...ANNETTE G DE BELLEFEUILLE
ARDIS ENRIGHT (CPE)...PRO/PER
RON OLUND (SC)...J. DAVID HORSPOOL
AMERICAN CONTRACTORS INDEMNITY(TP)...PRO/PER
CRAIG WILSON (FULLERTON LEMANN SCHAEFFER &
D)...FULLERTON

GENERAL INFORMATION:

This case is set for hearing on Petition for Attorneys' Fees filed by Fullerton, Lemann, Schaefer & Dominick

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Attorneys request fees of \$11,223.50 for work completed by Attorney Annette deBellefeuille while an associate with the firm for the period from 12/6/02 – 7/18/03. Billed at \$200/hour for attorney time (46.95 hours) and \$50/hour for paralegal time (36.67 hours). Appears itemized. JTD
2. The last accounting filed in this matter was the 1st account current for the period ending 1/31/04 and was approved by the Court on 7/19/04. The assets on hand ending 1/31/04 totaled approximately \$378,000 of which \$11,000 was cash and the balance being real properties. Since 1/31/04, the Court has confirmed the sale of one of the real properties for \$330,000 on 9/10/04. The next accounting review is not scheduled until 7/21/06.

RECOMMENDATION:

Court's discretion.

San Bernardino Superior Court

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 10:01 DEPT: S5

CASE #: SC SS01349
CASE NAME: IN THE MATTER OF JASMINE ANSARI

HEARING:

FOURTH Account and Report of INLAND COUNTIES REGIONAL CENTER,
INC and Petition for allowance of fees filed.

COUNSEL:

JASMINE ANSARI (CTE)...
INLAND COUNTIES REGIONAL CENTE(CE)...BRUNICK MCELHANEY & BECKETT

GENERAL INFORMATION:

This case is set for hearing on 4th Account
Accounting period: 8/1/03 – 8/31/04 (13 months)
Assets on Hand: \$53,084.87 (all cash)
Income Sources: interest income
Monthly disbursements: 1 per month (average)
Location of Conservatee: board & care

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Petitioner waives right to fees as conservator. Instead, petitioner requests approval of payment of trustee's fees already taken by Inland Counties Master Trust. Inland Counties Master Trust charges an annual fee of \$375 for funds up to \$50,000 and .75% for funds in excess of \$50,000, which amounts to a total of \$390.33 per year. Inland Counties Master Trust has spent an average of 2 hours per month for a total of 26 hours. Petitioner prays for \$489.25, a difference of \$98.92 in the annual fee. How is the difference computed? File verified supplement re: fee request.
2. Petitioner requests authority to allow Inland Counties Master Trust to continue taking quarterly fees of \$97.58 for a total of \$390.33 per year. JTD
3. Attorney requests a flat fee of \$500.00. Billed at a reduced rate of \$110/hour for attorney time (2.5 hours) and \$105/hour for paralegal time (6.5 hours). Appears itemized (total hourly rate is equal to \$957.50, but attorney requests flat fee). JTD

RECOMMENDATION:

Need verified supplement re petitioner's fee request. Once approved, set next accounting review for 5/5/06. Accounting to be filed 30 days in advance.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 10:01 DEPT: S5

CASE #: SC SS01773

CASE NAME: MTR OF ANASTASIA MOULTRIE

HEARING:

Hearing re: FOR ORD ATHRZNG EXECUTION OF DOSC BY CNSRVTR ETC

COUNSEL:

ANGELYN MOULTRIE-LIZANA (CPE)...DILL AND SHOWLER
ANASTASIA MOULTRIE (CEP)...LENITA A SKORETZ

GENERAL INFORMATION:

This case is set for hearing on Final Discharge and Application for Order Authorizing Execution of Documents by Conservator

Court approved termination of conservatorship of estate by Angelyn Moultrie-Lizana as part of a settlement with family members. The assets of the conservatee were to be placed in a trust, with the court to review trust accountings. The First & Final Report of Conservator of Estate (Angelyn) was approved on 12-20-02 with the former conservator to file receipts by 2-20-04 for discharge. 2-20-04 is also the date that the trustee must file the First Trust Account.

On 2-20-04, the court continued the matter as Angelyn had been called to active duty. The attorney was waiting for her signature. Continued further from 3-26-04, 7-9-04. Noted that conservator had returned from Iraq, but continued again to 9-24-04.

Minute order from 9-24-04 indicates "Matter is taken under submission by the Court." Not clear what matter was taken under submission.

On 9-22-04, Conservator filed an Application for Order Authorizing Execution of Documents by Conservator and for Authority to Pay Additional Attorney Fees

Continued from 10/29/04. The Court orders that at the execution of the petition of Angelyn Moultrie-Lizana the conservatorship shall be concluded. Attorney Scott to submit an amended petition or supplemental and revised Order.

Last continued from 12/17/04 for notice to be given.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED:

1. Conservator requesting authority to sign amended trust on behalf of conservatee, becoming the settlor of the trust. Question: by granting this petition, will this give the conservator as "settlor" the right to make amendments or to terminate the trust unilaterally? Why can't conservatee sign the trust, as originally intended. File verified supplement regarding this issue.
2. Conservator also requests authority to sign a deed for real property in her capacity as conservator.
3. Attorney requesting attorney fees for showing up in Court to explain that conservator was away for active military duty. Requesting \$1570. Beginning in June 2004, charging \$275 per hour. (2.5 hours at \$275)

RECOMMENDATION:

Need verified supplement

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 10:01 DEPT: S5

CASE #: SC SS02231

CASE NAME: MTR OF JOHN HUGH FELLOWS

HEARING:
SECOND CURRENT Account and Report of DIANE D. HARKISON and
Petition for allowance of fees filed.

COUNSEL:
DIANE D. HARKISON (CPE)...M DANIEL SAYLOR
JOHN HUGH FELLOWS (CEP)...

No file to review.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 10:01 DEPT: S5

CASE #: SC SS02448

CASE NAME: MTR OF HILDA M. BOND

HEARING:

Petition for APPROVAL OF FEES TO FORMER ATTORNEY FOR CONSERVATOR

COUNSEL:

JENNIFER WENGER	(CPE)...	JEFFREY T. VANDERVEEN
HILDA M. BOND	(CEP)...	DUANE P BOOTH

GENERAL INFORMATION:

This case is set for hearing on Petition for Approval of Fees to Former Attorney for Conservator

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Petitioner requests attorney's fees for her former attorney, Matthew Neale, of \$2,140.00. Billed at \$200/hour for 10.7 hours (services were for billing date 6/13/03-1/13/04). Appears itemized. JTD

RECOMMENDATION:

Court's discretion.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 10:01 DEPT: S5

CASE #: SC SS02448

CASE NAME: MTR OF HILDA M. BOND

HEARING:

FIRST CURRENT Account and Report of JENNIFER WENGER and Petition
for allowance of fees filed.

COUNSEL:

JENNIFER WENGER (CPE)...JEFFREY T. VANDERVEEN
HILDA M. BOND (CEP)...DUANE P BOOTH

GENERAL INFORMATION:

This case is set for hearing on 1st Account
Accounting period: 7/10/03 – 10/22/04 (15 months)
Assets on Hand: \$113,877.09 (all cash)
Income Sources: Social Security; GM pension & interest income
Monthly Disbursement Items (average) 4 checks/month
Location of Conservatee: board & care
Fee Request of Conservator: \$15,744.00

Continued from 1/14/05 at request of counsel.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Petitioner requests compensation of \$15,774.00. Billed at \$60/hour for 262.4 hours. Itemized. Some of the services provided were associated with the establishment of the conservatorship, the location of the conservatorship assets, and moving the conservatee to a new facility. Ok. However, there are the following billing concerns:
 - (a) Conservator charges 2 hours/month (3 hours in 1/04) for "bookkeeping and documentation" (writing checks, etc.); 2 hours seems excessive

since minimal checks were written and income received. In 1/04, only 3 checks were written and 2 deposits made.

- (b) There is no time less than .5 for any task done, including ministerial-type items (i.e., 7/16/03 "provide change of address to attorney for court" .5, 8/4/03 fax documents for bond .5, 8/13/03 conference with bonding re: bond .5). Question the need for extensive time for ministerial tasks.
 - (c) There are several conferences listed with "FDL". Who is FDL?
Supplement filed alleging "FDL" is former daughter-in-law, Nancy Seeger who had taken care of the conservatee and her property prior to the appointment of petitioner as conservator.
 - (d) Overall, billing seems excessive due to the minimal size of the estate. Bill is an average of \$1,050/month (average: 17.5 hours/month). File verified supplement re: bookkeeping and ministerial tasks. In the alternative, Court may consider reducing fees to an average of \$750/month being more appropriate due to the size and nature of this proceeding (@15 months totals: \$11,250)
 - (e) **Supplement filed alleging that petitioner agrees to a reduction of her fees to an average of \$750/month for 15 months for a total of \$11,250.**
- 2. Attorney requests fees of \$3,736.25. Billed at \$275/hour for attorney time (13.5 hours) and \$95/hour for paralegal time (.25 hours). Itemized.
 - 3. No proposed Order submitted.

RECOMMENDATION:

RFA subject to Court's determination of fees. Once approved, set next accounting review for 1/19/07. Accounting to be filed 30 days in advance.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 10:01 DEPT: S5

CASE #: SC SS02460

CASE NAME: MATTER OF ERIC G DANIEL

HEARING:
Probate status report filed.

	COUNSEL:
SARA DANIEL	(CPE)...SKORETZ & CHURCH
ERIC G DANIEL	(CEP)...WALTER MOORE

GENERAL INFORMATION:

This case is set for hearing on Status Report

Continued from 11/12/04 & 12/17/04 at request of counsel. Accounting to be filed. Status Report filed alleging counsel is working with conservator Sara Daniel to obtain the information necessary to complete the accounting (not all information has been received). Nothing new filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. No accounting/status report filed.

RECOMMENDATION:

Find out status.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 10:01 DEPT: S5

CASE #: SPASS4882

CASE NAME: IN THE ESTATE OF EDITH BURTON

HEARING:
Hearing re: FINAL DISCHARGE

EDITH BURTON COUNSEL:
 (DEC)...

GENERAL INFORMATION:

This case is set for hearing on Final Discharge
Order for Final Distribution approved 2/16/01

Several continuances since 4/2/02. Last continued from 12/17/04 at request of County Counsel. At hearing on 2/20/04, PA advised Court that heir (name not mention) had disappeared and PA was holding property for him. On 6/23/04, an Ex Parte Order to sell securities (SBC Communications) was signed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Still need receipts and final discharge. Question whether distribution has been made and whether the reserve of \$12,000 or any unused portion has been distributed.
2. As to missing heir, PA could distribute funds to the County Treasurer.

RECOMMENDATION:

Set OSC re: failure to file documents & surcharge.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

MISC.

DATE: 02/18/05 TIME: 11:00 DEPT: S5

CASE #: SC SS02598

VACATE – FINAL INVENTORY FILED 1/26/05

CASE NAME: MTR OF GREGORY YAROSLOW

HEARING:

Hearing re: FILING OF I&A

COUNSEL:

RITA Y. MC CARTHY (CPE)...HARRY J HISTEN
WILLIAM J. SIMON (CPE)...HARRY J HISTEN
GREGORY YAROSLOW (CEP)...

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 11:00 DEPT: S5

CASE #: SC SS02659

VACATE – FINAL INVENTORY FILED 9/13/04

CASE NAME: MTR OF CLARE BATEMAN

HEARING:
Hearing Re: Inventory & Appraisal.

COUNSEL:
MARY LYNN CLARK/INLAND CUNTIES(CE)...BRUNICK, MCELHANEY & BECKETT
CLARE BATEMAN (CTE)...

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 11:00 DEPT: S5

CASE #: SPASS4909

CASE NAME: MATTER OF PEGGY FINLAY

HEARING:
Accounting Review

COUNSEL:

PUBLIC ADMINISTRATOR	(PET)...	PHILIP M SAVAGE
PEGGY FINLAY	(DEC)...	
VIRGINIA HUHNKE	(TP)...	MORSE & SHILLER
KATHLEEN NIXETAL	(RALPH K HEKM AN)...RALPH K H
DOLORES M FINLAY	(SNYDER, HANCOCK & ASHWORTH)...SNYDER,
LORRIANE P SCHRIBER	(RALPH K HEKMAN)...RALPH K H
WANDA GRASSE	(FOLEY & LARDNER)...FOLEY & L

GENERAL INFORMATION:

This case is set for hearing on Accounting Review

Decedent died on 3/16/00; Letters of Administration issued to PA on 6/30/00; last Status Report approved on 11/15/02.

Continued 10/31/03, 2/27/04, 3/26/04, 8/27/04 & 12/3/04. At 3/26/04 hearing, Attorney Hekman objected to lengthy continuances.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. No accounting/status report filed. At minimum, counsel could provide current status report.

RECOMMENDATION:

Set OSC re: failure to file documents/contempt due to lengthy continuances and no documents filed.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 11:00 DEPT: S5

CASE #: SPASS4951

CASE NAME: ESTATE OF JULIA M COLUDRO

HEARING:
Accounting Review

COUNSEL:
PUBLIC ADMINISTRATOR (PET)...GRESHAM SAVAGE NOLAN & TILDEN
JULIA M COLUDRO (DEC)...

GENERAL INFORMATION:
This case is set for hearing on Accounting Review
Continued from 12/20/04

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Still no accounting filed. Letters of Administration issued 12/13/02. Last Status Report filed 4/15/04 and Court authorized administration to continue to sell personal property until 12/31/04.

RECOMMENDATION:
Find out status.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 11:00 DEPT: S5

CASE #: SPASS4979

CASE NAME: ESTATE OF LULA CRITTENDEN

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

PUBLIC ADMINISTRATOR (PET)...GRESHAM SAVAGE NOLAN & TILDEN
LULA CRITTENDEN (DEC)...
LOUANN SMITH (PET)...JACK B OSBORN
DEPARTMENT OF HEALTH SERVICES (TP)...PRO/PER

GENERAL INFORMATION:

This case is set for hearing on filing Inventory & Appraisal
Letters of Administration WWA issued 9/17/04

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. No inventory & appraisal filed. An inventory was due on 1/17/05.

RECOMMENDATION:

Find out status.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 11:00 DEPT: S5

CASE #: SPRSS03608

CASE NAME: ESTATE OF LA VERNE ROSE SACKETT

HEARING:
Hearing re Final Discharge

COUNSEL:
KENNETH J SACKETT (PET)...EDWARD M PICOZZI
LA VERNE ROSE SACKETT (DEC)...
WILLIAM SACKETT (TP)...BARTELL & HENSEL

GENERAL INFORMATION:

This case is set for hearing on Receipts/Final Discharge

Continued from 12/3/04 at request of counsel. Counsel advised Court that estate was not ready to close.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. No receipts/discharge filed.

RECOMMENDATION:

Find out status.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 11:00 DEPT: S5

CASE #: SPRSS04416

CASE NAME: ESTATE OF ERNEST L. DARBY

HEARING:
Accounting Review

COUNSEL:

MINNIE E. DARBY	(PET)...WILLIAM J WARD
ERNEST L. DARBY	(DEC)...
KAREN HUSTED	(TP)...FULLERTON LEMANN SCHAEFFER & D

GENERAL INFORMATION:

This case is set for hearing on Accounting Review (2nd & Final Account)
The Order Settling 1st Account and for preliminary distribution was approved/granted on 9/22/04.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. A final accounting has not been filed.
2. Need receipts on preliminary distribution from Michael Darby, Sonja Brown, Gregory Darby, Marsha Burns, Thomas Darby, Gary Darby, Sheila White, Ricardo Darby, Karen Husted, Ernest Darby, Jr., and Shawna Darby.
3. Court may wish to inquire status of bond. Bond currently fixed at \$350,000. Per Order Settling 1st account, bond was ordered reduced to \$275,000. Have all preliminary distributions been made so that bond can be reduced?

RECOMMENDATION:

Need receipts on preliminary distribution and find out status of final accounting.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 11:00 DEPT: S5

CASE #: SPRSS05237

CASE NAME: ESTATE OF BRUCE W. HALSTEAD

HEARING:

Hearing Re: Inventory & Appraisal.

COUNSEL:

TERRI HOLCOMB HALSTEAD (PET)...FULLERTON LEMANN SCHAEFFER & D
BRUCE W. HALSTEAD (DEC)...
LARRY HALSTEAD (OBJ)...MARK I BLANKENSHIP
SHARI FOX (MARK I BLANKENSHIP)...MARK I BL
JOY HALSTEAD (MARK I BLANKENSHIP)...MARK I BL
SANDRA CAMPBELL (MARK I BLANKENSHIP)...MARK I BL
DAVID HALSTEAD (MARK I BLANKENSHIP)...MARK I BL
WORLD LIFE RESEARCH INSTITUTE (MARK I BLANKENSHIP)...MARK I BL

GENERAL INFORMATION:

This case is set for hearing on filing Inventory & Appraisal

Letters Testamentary issued 7/21/04

Per Minute Order of 1/11/05, a settlement was reached concerning ownership of estate property. However, the settlement/stipulation has not yet been filed, nor has an Inventory & Appraisal been filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. No inventory filed.

RECOMMENDATION:

Find out status.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 11:00 DEPT: S5

CASE #: SPRSS05512

CASE NAME: EST OF CAROLYN SUE GILMOUR

HEARING:
Accounting Review

COUNSEL:
KRISTIN DAWN ADAMS (PET)...C.L. FARRELL
CAROLYN SUE GILMOUR (DEC)...

GENERAL INFORMATION:

This case is set for hearing on Accounting Review

Letters issued 10/10/03

Continued from 12/10/04 at request of counsel. Counsel advises Court that counsel is waiting for information from the referee. Nothing new filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Still no I & A filed. It is overdue for more than a year (was due 2/10/04). On the petition for probate estate was estimated to consist of real property (approx. \$130,000) and personal property (approx \$5,000). Creditor's claims are filed totaling approximately \$90,000. However, no allowance/rejection of creditor's claims are filed. Petitioner/Administrator is sole heir.
2. Still no accounting filed.

RECOMMENDATION:

Set OSC re: Removal, Surcharge & Sanctions. Issue citation and have it personally served. Court may consider giving notice to Richard McDaniel (brother of decedent who has been noticed of these proceedings).

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 11:00 DEPT: S5

CASE #: SPRSS05739

CASE NAME: ESTATE OF CHARLES A RODGERS

HEARING:

Hearing Re: Inventory & Appraisal.

COUNSEL:

FRED RODGERS (PET)...HARTNELL HORSPPOOL & FOX
CHARLES A RODGERS (DEC)...
SANDRA J. ROGERS (OBJ)...MARTIN E KELLER
WELLS FARGO CARD SERVICES (PRO/PER)...PRO/PER

GENERAL INFORMATION:

This case is set for hearing on filing Inventory & Appraisal
Letters issued 7/21/04

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. No I & A filed.
2. Note: A creditor's claim was filed by Hartnell, Horspool & Fox on 8/6/04 in the amount of \$10,000. This claim was not presented for approval. Counsel to provide Allowance/Rejection form to the Court for approval/rejection of the claim per PC 9252.

RECOMMENDATION:

Find out status and address creditor's claim issue.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 11:00 DEPT: S5

CASE #: SPRSS05773

VACATE – FINAL INVENTORY FILED 1/18/05

CASE NAME: EST CHARLES THOMAS HEMPHILL

HEARING:
Hearing Re: Inventory & Appraisal.

COUNSEL:
ANITA MARIE HEMPHILL MCCORMICK(PET)...TIFFANY A GHARAGOZLOU
CHARLES THOMAS HEMPHILL (DEC)...

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 11:00 DEPT: S5

CASE #: SPRSS05834

CASE NAME: EST OF ROBERT J DINKLE

HEARING:

Hearing Re: Inventory & Appraisal.

COUNSEL:

LINDA LE ANN HEATH	(PET)...MANNERINO & BRIGUGLIO
ROBERT J DINKLE	(DEC)...
MELODIE Z SCOTT	(EXE)...PRO/PER
ARLENE A DINKLE	(OBJ)...SHORE & WURM

GENERAL INFORMATION:

This case is set for hearing on filing Inventory & Appraisal by former administrator (Melodie Scott)

Letters issued 7/9/04. On ex parte application, the resignation of Melodie Scott as administrator was granted on 11/9/04. Letters of successor administrator filed on 12/23/04.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. No I & A has been filed
2. Court should order former administrator to file an accounting per PC 10952 within 60 days.

RECOMMENDATION:

Set accounting review for 4/22/05 for former administrator. Set hearing on I & A for successor administrator for 4/29/05. Set an Accounting Review for successor administrator on 12/30/05. Accountings to be filed 30 days in advance.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 11:00 DEPT: S5

CASE #: SPRSS05942

VACATE – FINAL INVENTORY FILED 10/7/04

CASE NAME: ESTATE OF MILDRED F MCGINNIS

HEARING:
Hearing Re: Inventory & Appraisal.

COUNSEL:
SUSAN L VERGARA (PET)...IRENE COCKCROFT
MILDRED F MCGINNIS (DEC)...

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 11:00 DEPT: S5

CASE #: SPRSS05943

CASE NAME: EST OF ARLENE M WILLIAMS

HEARING:
Hearing Re: Inventory & Appraisal.

COUNSEL:
BRANDI MAE MARTINELL (PET)...THE PARTNERS INC
JAMES RICHARD WILLIAMS (PET)...THE PARTNERS INC
ARLENE M WILLIAMS (DEC)...

GENERAL INFORMATION:
This case is set for hearing on filing Inventory & Appraisal
Letters issued 7/16/04

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. No Inventory & Appraisal filed.

RECOMMENDATION:
Find out status.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 11:00 DEPT: S5

CASE #: SPRSS05944

VACATE – FINAL INVENTORY FILED 9/28/04

CASE NAME: EST OF NETTIE M LIENBY

HEARING:
Hearing Re: Inventory & Appraisal.

	COUNSEL:
SCOTT B CRIBB	(PET)...PRO/PER
NETTIE M LIENBY	(DEC)...

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 11:00 DEPT: S5

CASE #: SPRSS05953

CASE NAME: MTR OF GERTRUDE L KELTY

HEARING:
Hearing Re: Inventory & Appraisal.

COUNSEL:
MADELINE J BYRD (PET)...JOHN M BEALL
GERTRUDE L KELTY (DEC)...

GENERAL INFORMATION:
This case is set for hearing on filing Inventory & Appraisal
Letters issued 7/16/04

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. No Inventory & Appraisal filed.

RECOMMENDATION:
Find out status.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 11:00 DEPT: S5

CASE #: SPRSS05955

VACATE – ORDER FOR FINAL DISTRIBUTION ENTERED 12/17/04

CASE NAME: MTR OF PAUL E MCCOY

HEARING:
Hearing Re: Inventory & Appraisal.

NANCY L MCCOY	COUNSEL:
PAUL E MCCOY	(PET)...PRO/PER
	(DEC)...

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 11:00 DEPT: S5

CASE #: SPRSS05960

CASE NAME: EST OF MARIE S MATHEWSON

HEARING:

Hearing Re: Inventory & Appraisal.

COUNSEL:

SHERRI M QUADRI (PET)...SHERRI M QUADRI
MARIE S MATHEWSON (DEC)...

GENERAL INFORMATION:

This case is set for hearing on filing Inventory & Appraisal
Letters issued 7/16/04

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Final Inventory & Appraisal filed 11/17/04. However, copies of bank statements for accounts listed no attached per local rule 908. File copies of bank statements.

RECOMMENDATION:

Need copies of bank statements to support inventory bank balances.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

MISC. 1:30

DATE: 02/18/05 TIME: 1:30 DEPT: S5

CASE #: SC SS01990

CASE NAME: MATTER OF DOROTHY SKILLMAN

HEARING:
Accounting Review

COUNSEL:

BARBARA STUCKER	(CPE)...SHORE & WURM
DOROTHY SKILLMAN	(CEP)...NANCY J YOUNG
BARBARA E. SKILLMAN	(SC)...MARTIN E KELLER

GENERAL INFORMATION:

This case is set for hearing on Accounting Review
(2nd Accounting is due for period 12/14/02 – current date)
Per CI memo, conservatee died on 10/15/04

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Need to file 2nd & Final Account (as of 1st accounting ending 12/13/02, conservatee's estate on hand was \$61,425.00)

RECOMMENDATION:

Court must send written notice to conservator and attorney of record directing that the account be filed. Set hearing within 60 days. Any failure to file the account will then constitute contempt and punishable as set forth in PC 2620.2

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 1:30 DEPT: S5

CASE #: SC SS02494

CASE NAME: MTR AMMIE MCDUFFIE

HEARING:
Accounting Review

COUNSEL:
DEBORAH M WASHINGTON (CPE)...CRAIG M PARKER
AMMIE MCDUFFIE (CEP)...SHERRI L KASTILAHN

GENERAL INFORMATION:

This case is set for hearing on Accounting Review (1st account due for period 12/19/03 – 12/18/04)

Letters issued 12/19/03

Per Minute Order of 12/19/03 bond was ordered at \$10,000. However, no bond is filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. No Accounting filed.
2. No Inventory filed and is overdue by 13 months (PC 2610)
3. No bond filed. Minute order of 12/19/03 required bond of \$10,000. Order appointing conservator is checked that bond is waived. There is a deficiency between the minute order and order appointing conservator. However, the probate notes at appointment indicated a "bond should be set at \$10,000 unless petitioner proved she is a payee on social security income". Was this proof established? File verified supplement.

RECOMMENDATION:

Set OSC re: Removal, Sanctions & Surcharge.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 1:30 DEPT: S5

CASE #: SC SS02529

CASE NAME: MTR OF MARY ELLEN NICOLA

HEARING:
Accounting Review

COUNSEL:
JOY DAVIS (CPE)...PRO/PER
MARY ELLEN NICOLA (CEP)...

GENERAL INFORMATION:

This case is set for hearing on Accounting Review (1st Account is due for period 12/19/03 – 12/18/04)

Letters issued 12/19/03

Per CI memo, conservatee died on 5/21/04

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. No accounting filed
2. No inventory & appraisal filed.

RECOMMENDATION:

Court must send written notice to conservator and attorney of record directing that the inventory & appraisal and account be filed. Set hearing within 60 days. Any failure to file the account will then constitute contempt and punishable as set forth in PC 2620.2

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 1:30 DEPT: S5

CASE #: SPASS4950

CASE NAME: ESTATE OF FRANCES S GMEREK

HEARING:
Accounting Review

COUNSEL:
PUBLIC ADMINISTRATOR (PET)...GRESHAM SAVAGE NOLAN & TILDEN
FRANCES S GMEREK (DEC)...
DEPT. OF HEALTH SERVICES (TP)...PRO/PER

GENERAL INFORMATION:
This case is set for hearing on Accounting Review
Letters issued 12/30/03

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. No accounting/status report filed.

RECOMMENDATION:
Find out status.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 1:30 DEPT: S5

CASE #: SPRSS04580

CASE NAME: EST OF MARGARET EMILY DANIEL

HEARING:
Hearing re Final Discharge

COUNSEL:
CAROL S COLE (PET)...HERB CHAVERS
MARGARET EMILY DANIEL (DEC)...
TERRY P DANIEL (OBJ)...PRO/PER

GENERAL INFORMATION:
This case is set for hearing on Final Discharge
Order for Final Distribution granted 2/6/04

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Receipts are filed by all heirs but Terry P. Daniel
2. No final discharge filed.

RECOMMENDATION:
Find out status.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 1:30 DEPT: S5

CASE #: SPRSS04851

CASE NAME: MTR RE GARY A MYERS

HEARING:
Hearing re Final Discharge

COUNSEL:

SANDRA L MAKOVSKY	(PET)...	HARTNELL HORSPOOL & FOX
GARY A MYERS	(DEC)...	
MARY L MYERS	(TP)...	PRO/PER
NAOMI LAURENCE	(PRO/PER)...PRO/PER
JEANNIE ANDERSON	(PRO/PER)...PRO/PER
FRANKLYN W MEYERS	(PRO/PER)...PRO/PER

GENERAL INFORMATION:

This case is set for hearing on Final Discharge
Order for Final Distribution granted 12/19/03

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. No receipts/discharge filed. Court may wish to inquire whether counsel could provide other proof of distribution to heirs.

RECOMMENDATION:

Find out status.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 1:30 DEPT: S5

CASE #: SPRSS05621

CASE NAME: EST OF VIRGINIA D MILLAN

HEARING:
Accounting Review

COUNSEL:
JOE MILLAN (PET)...ELISABETH KEMPE-OLINGER
PRISCILLA CARDOZA (PET)...ELISABETH KEMPE-OLINGER
VIRGINIA D MILLAN (DEC)...
DEPARTMENT OF HEALTH SERVICES (TP)...PRO/PER

GENERAL INFORMATION:
This case is set for hearing on Accounting Review
Letters issued 12/19/03

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. No accounting/status report filed

RECOMMENDATION:
Find out status.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 1:30 DEPT: S5

CASE #: SPRSS05629

CASE NAME: EST OF ALICE C POLK

HEARING:
Accounting Review

COUNSEL:
PAMELA POLK (PET)...VAN W ROBINSON
ALICE C POLK (DEC)...
HEIR BUYOUT COMPANY (TP)...PRO/PER
DEPT. OF HEALTH SERVICES (PRO/PER)...PRO/PER

GENERAL INFORMATION:
This case is set for hearing on Accounting Review
Letters issued 2/27/04

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. No accounting/status report filed.
2. No inventory & appraisal filed (overdue by 6 months). Petition for probate estimates property as "real property worth approximately \$65,000). Creditor's claims filed by Department of Health Services totaling approximately \$20,000.

RECOMMENDATION

Court must send written notice to administrator and attorney of record directing that the inventory & appraisal and account be filed. Set hearing within 60 days. Any failure to file the account will then constitute contempt as set forth in PC 11050.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 02/18/05 TIME: 1:30 DEPT: S5

CASE #: SPRSS05632

CASE NAME: EST OF JOHN H GREGERSON

HEARING:
Accounting Review

COUNSEL:
RACHEL IRENE LEADER (PET)...WILLIAM J. BRUNICK
JOHN H GREGERSON (DEC)...

GENERAL INFORMATION:
This case is set for hearing on Accounting Review
Letters issued 12/30/03

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. No accounting/status report filed.

RECOMMENDATION:
Find out status.